

Local Order No. (3) of 1999
Regulating Construction Works in the Emirate of Dubai¹

We, Hamdan bin Rashid Al Maktoum, Chairman of the Dubai Municipality,

After perusal of:

The powers legally vested in Us pursuant to the Order Establishing the Dubai Municipality;

The Dubai Building Regulations of 1970 and its amendments;

Local Order No. (48) of 1990 Imposing New Fees and Amending Certain Fees Prescribed in the Dubai Building Regulations of 1970;

Local Order No. (89) of 1994 Regulating the Engineering Consultancy Profession in the Emirate of Dubai; and

The presentation of the Director General of the Dubai Municipality,

Do hereby issue this Order.

Article (1)

This Order will be cited as “Local Order No. (3) of 1999 Regulating Construction Works in the Emirate of Dubai”.

Article (2)

This Order applies to all private and public Buildings existing by the effective date of this Order and those to be constructed thereafter.

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¹Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict, the Arabic text will prevail.

Chapter One
Definitions
Article (3)

In implementing the provisions of this Order, the following words and expressions will have the meaning indicated opposite each of them unless the context implies otherwise:

Emirate:	The Emirate of Dubai.
DM:	The Dubai Municipality.
Director General:	The director general of the DM.
Competent Department:	The Building and Government Housing Department.
Owner:	A natural person or a public or private legal person in whose name the land or building is registered, in his capacity as owner or possessor of the same.
Applicant:	An Owner, or his legal representative, applying for a Construction Works Permit in accordance with the provisions of this Order, its implementing bylaw, and the instructions issued by the Competent Department.
Construction Works Permit:	A permit issued by the Competent Department authorising the implementation of Construction Works in accordance with this Order and its implementing bylaw.
Construction:	Building any structure of stone, concrete, clay, steel, wood, or any other material used for the construction of buildings. This includes foundations, walls, roofs, projections, fences, and other similar structures.
Construction Works:	Any construction, demolition, or maintenance works of buildings, or any additions or modifications thereto. This includes excavation and backfilling works.
Main Construction Works:	All works relating to the main structure of a building.
Ancillary Construction Works:	Specialised works that supplement the Main Construction Works, such as piling, dewatering, plumbing, electrical, paint, and similar works.

Temporary Construction Works:	Works that do not constitute part of the main structure of a building, but are necessary for implementing Construction Works, such as the installation of scaffoldings, excavation shoring props, ceiling shuttering, fences, temporary site offices, and similar works.
Illegal Construction Works:	Works that are not permitted pursuant to this Order and its implementing bylaw; or Construction Works that are carried out in breach of the terms of an issued Construction Works Permit or in violation of the relevant approved or recognised technical and professional engineering principles.
Inspector:	An Engineer or foreman of the Competent Department.
Engineer:	A legal or natural person who is assigned to design and/ or supervise Construction Works, and is licensed to practise the engineering consultancy profession in the Emirate in accordance with applicable legislation.
Contractor:	A legal or natural person who is assigned to implement Construction Works, and is licensed to conduct Construction contracting activities in accordance with the relevant legislation in force in the Emirate.
Subcontractor:	A legal or natural person who is assigned to implement Ancillary Construction Works or Temporary Construction Works, and is licensed to carry out such works in accordance with the legislation in force in the Emirate.

Chapter Two Permit Issuance Procedures

Article (4)

No natural person or public or private legal person may implement any Construction Works that involve permanently or temporarily changing, whether in whole or in part, the features of any land or real property, without first obtaining the relevant permit from the Competent Department.

Article (5)

A permit application signed by the Applicant will be submitted to the Competent Department on the form prescribed for this purpose, together with the relevant required documents. The implementing bylaw of this Order will determine the documents required in this respect.

Article (6)

- a. Subject to verifying that all the conditions and requirements stipulated in this Order and its implementing bylaw are met, a new or amended Construction Works Permit will be signed by the Director General or his authorised representative and issued on the form prescribed for this purpose.
- b. Where the ownership of the real property in respect of which a Construction Works Permit is issued is transferred, the permit may be transferred to the new Owner in accordance with the relevant procedures adopted by the DM.

Article (7)

Where a permit application is rejected, the rejection decision must be reasoned. The concerned party may submit a grievance to the Director General or his authorised representative against the rejection decision. The grievance will be determined within one (1) month from the date of its submission, and the decision issued on the grievance will be final.

Article (8)

Except for the land leased out by the Government, a Construction Works Permit will be valid for a period of six (6) months from the date on which it is issued. Upon expiry of the permit, its validity period may be renewed up to three (3) times for the same period unless the Building Regulations are amended to stipulate otherwise during that period or a reason for cancellation or non-renewal of the said permit arises in accordance with the regulations and resolutions in force at the time in question.

Article (9)

The Director General or his authorised representative may, based on the recommendation of the Competent Department, issue a decision cancelling a Construction Works permit where:

- a. it is established that the permit has been issued based on false or misleading information or illegal documents submitted by the Applicant;

- b. it is established that the permit has been issued in breach of the provisions of this Order, its implementing bylaw, or any of the DM regulations or resolutions; or
- c. the Construction Works have not been commenced within three (3) months from the date of issue of the permit; or have been suspended at the construction site for more than three (3) consecutive months.

The decision cancelling the permit will not prejudice the DM right to take any legal action provided for by this Order or any other legislation in force in the Emirate.

Chapter Three Fees and Security Deposits

Article (10)

At the time of applying for a Construction Works Permit, a fixed fee in the amount prescribed in Schedule (2) attached hereto, and approved by Us, will be collected for each square or linear foot of the total area of the building or fence in respect of which the permit application is submitted.

Article (11)

A fixed fee will be charged in respect of the transactions and services set forth in Schedules (1), (3), (4), (5), (6), (7), and (8) attached hereto, and approved by Us, in the amounts and subject to the provisions indicated opposite each of these transactions and services.

Article (12)

A Construction Works Permit may be issued only upon payment of the security deposits required for ensuring that the Applicant will take the necessary action to commence and implement Construction Works in accordance with the terms of the permit; and that any damage to be sustained by third parties as a result of such works are covered. The provisions prescribing the types and amounts of the security deposits that must be paid into the DM account, and the cases in which they will be confiscated, will be determined pursuant to the relevant resolution of the Director General.

Article (13)

All Government departments, federal ministries, and public authorities and corporations will be exempt from payment of the fees and security deposits referred to in Articles (10), (11), and (12) of this Order.

Chapter Four Technical and Regulatory Provisions

Article (14)

Construction Works must be implemented as per the approved plans and drawings, the conditions based on which the permit is issued, and the technical and engineering standards adopted in this respect. No changes or amendments to these documents may be made without the relevant approval of the Competent Department.

Article (15)

The materials used in Construction Works must meet the relevant standard specifications approved by the DM.

Article (16)

All technical, professional, regulatory, operational, and equipment requirements related to Construction Works sites must be met to ensure uninterrupted workflow at these sites. The precautionary measures required for ensuring the safety of the workers at the sites, the pedestrians, and the adjacent property must be taken. The implementing bylaw of this Order will determine the key requirements that must be met, and the main equipment that must be provided, at these sites.

Article (17)

The procedures and rules prescribed by the Competent Department must be met prior to the commencement of the concrete pouring works of any main part of a building or its appurtenances. The implementing bylaw of this Order will determine these procedures and rules.

Article (18)

The general, technical, and other relevant requirements and specifications that must be met when implementing Construction Works will be determined pursuant to a resolution issued by the Director General. Water, electricity, telephone, and other utility installation and connection works will be implemented as per the requirements and specifications prescribed by the entities in charge of these utilities in the Emirate.

Chapter Five Obligations and Responsibilities

Article (19)

Contractors and Engineers will have joint liability in respect of the implementation of Construction Works, and their safety during and after implementation, in accordance with the provisions of the applicable laws, this Order, and its implementing bylaw. Their liability will extend to include the buildings adjacent to the site where the Construction Works are implemented and any public utility that may sustain damage due to the implementation of these works. In any event, neither the DM nor its employees may incur any liability as a result of their performance of the duties of auditing maps and construction calculations or inspecting the ground or work sites before, during, or after the implementation of Construction Works.

Article (20)

Without prejudice to the liability provisions stipulated in the preceding Article, the following will apply:

1. As from the date of handover of the Construction site to the Contractor until his contractual relationship with the Owner ends for any of the reasons provided for by the contract, the Contractor will be liable for any violation committed on the site, whether by the Owner or any other entity, unless he promptly suspends work on the site and notifies the Competent Department of that violation.
2. The Engineer will be jointly liable for the violation if he gives his express or implied consent thereto. Failure to issue the instructions required to prevent or remedy the violation will be deemed as implied consent.
3. The Engineer must immediately suspend work at the site if the Contractor commits any act that constitutes a violation under this Order, its implementing bylaw, or the instructions issued by the Competent Department.

Article (21)

The implementation of Main Construction Works, Ancillary Construction Works, and Temporary Construction Works is deemed part of the duties of the Contractor. However, the following will apply:

1. The Owner or Engineer may assign any of these works to another Contractor subject to obtaining the Contractor's express approval of the same.

2. The Contractor may assign any of the Ancillary Construction Works to Subcontractors unless the provisions of the contracting agreement stipulate otherwise, or the nature of such works requires him to implement them by himself.

The implementing bylaw of this Order will determine the scope of the liability of Contractors for the acts committed by Subcontractors in violation of this Order and its implementing bylaw.

Article (22)

An Engineer may, subject to obtaining the relevant written approval of the Competent Department, assign any specialised works related to design or supervision to another Engineer.

Article (23)

An Owner of an existing building, or an Engineer or a Contractor of an under-construction building, as the case may be, must immediately notify the Competent Department upon the occurrence of any accident or collapse in the building, or appearance of any cracks, fissures, or leaning therein, and must immediately take the relevant required action in accordance with the instructions and directives issued by the Competent Department.

Article (24)

A Contractor must, upon completion of the Construction Works, remove temporary structures, debris, and construction waste from the site within the period prescribed by the Competent Department.

Article (25)

It is prohibited to occupy a building, upon completion of its Construction, unless that building is inspected by an Inspector, it is established that it meets the terms of the permit, and the relevant completion certificate is issued. Notwithstanding the foregoing, the Competent Department may issue a permit to occupy a part of a building, upon completion of the Construction Works at that part, where it is established to the satisfaction of the Competent Department that the building is fit for occupation. In any event, no water, electricity, or other utility services may be connected, whether permanently or temporarily, to any building, structure, or site in the Emirate without first obtaining the relevant approval of the Competent Department.

Article (26)

The Director General or his authorised representative will issue the resolutions and instructions required for the demolition of buildings that are prone to collapse, buildings that are affected by urban planning, and cracked buildings; for the removal of Illegal Construction Works; for the conduct of necessary maintenance for buildings; or for the removal of debris or construction waste. In any event, the DM may perform the works referred to in the preceding paragraph by itself or by engaging any other specialised entity if the violating entity fails to perform the same within the period prescribed by the DM. Without prejudice to the penalties prescribed for any violation, the violating entity will be liable to pay the costs of remedy of the violation or relevant maintenance costs, plus twenty percent (20%) of these costs as administrative fees.

Chapter Six Audit, Inspection, and Penalties

Article (27)

The Inspectors and employees of the Competent Department, and the DM employees nominated by the Director General for this purpose, will have the capacity of law enforcement officers to record the acts committed in breach of the provisions of this Order and the resolutions issued in pursuance hereof. For this purpose, they may access the sites where Construction Works are being implemented, and any parts designated for common use within existing commercial or residential buildings or structures, to inspect the structural and architectural condition of the same; and may issue the relevant violation reports.

Article (28)

Without prejudice to any stricter penalty stipulated in any law or other local order, any person who violates the provisions of this Order or its implementing bylaw will be punished by one or more of the following penalties:

1. a fine of not more than fifty thousand dirhams (AED 50,000.00). The amount of the fine will be doubled upon committing any subsequent violation;
2. disconnecting all the utility services connected to the building or site in which the violation is committed, for the period prescribed by the Competent Department;
3. blocking the issuance of new Construction Works Permits to the violating entity, or the renewal of its existing permits, upon repetition of violations; and/ or

4. revocation or suspension of the professional or commercial licence of the Engineer or Contractor upon repetition of violations.

The implementing bylaw of this Order will determine the acts that constitute violations under this Order and the relevant penalties prescribed for each act.

Chapter Seven Final Provisions

Article (29)

For the purpose of implementing this Order and its implementing bylaw, the DM may seek assistance from Government departments and public authorities and corporations in the Emirate, including the police. These entities must, upon request, provide prompt support to the DM.

Article (30)

The fees and fines collected pursuant to this Order and its implementing bylaw will be paid to the DM.

Article (31)

The Dubai Building Regulations of 1970 and their amendments are hereby repealed. Any provision in any other legislation will also be repealed to the extent that it contradicts the provisions of this Order. The security deposit provisions and the general technical requirements and specifications prescribed by the DM for the implementation of Construction Works will continue in force until the Director General's resolutions referred to in Articles (12) and (18) of this Order are issued.

Article (32)

The Director General will issue the resolutions and instructions required for the implementation of the provisions of this Order.

Article (33)

This Order will be published in the Official Gazette and will come into force three (3) months after the first day of the month following the date on which it is published.

Hamdan bin Rashid Al Maktoum
Chairman of the Dubai Municipality

Issued in Dubai on 15 November 1999
Corresponding to 7 Shaaban 1420 A.H.

Schedule (1)
Application Fees for Engineering Audit of Plans

SN	Description	Initial Application	Application Fees for Engineering Audit of Plans (final)	
			First time	Second time and onwards
1	Plans of buildings (villas and private residential houses) and plans for minor alterations and additions	AED 100.00	Free	AED 100.00
2	Plans of regular projects, villa compounds, multi-storey buildings comprising a ground and up to seven floors; and plans for major alterations and additions	AED 100.00	Free	AED 200.00
3	Plans of special projects (shopping centres, hospitals, and towers) comprising a ground and more than seven floors	AED 150.00	Free	AED 250.00
4	Plans of floor area ratio projects	AED 250.00	Free	AED 250.00

Schedule (2)
Fees for Construction Works Permits

SN	Description	Fees
1	Private residential buildings and private farms	AED 0.30 (30 fils) per square foot
2	Fences surrounding private residential buildings and farms	AED 0.10 (10 fils) per linear foot
3	Villa compounds, labour accommodations, commercial buildings, warehouses, offices, swimming pools, and other structures designated for commercial purposes	AED 0.30 (30 fils) per square foot
4	Fences surrounding villa compounds, labour accommodations, commercial buildings, warehouses, offices, and other structures designated for commercial purposes	AED 0.10 (10 fils) per linear foot
5	Floor area ratio projects	AED 0.30 (30 fils) per square foot
6	Roofless reinforced concrete floors	AED 0.10 (10 fils) per square foot

Schedule (3)
Fees for Extending the Period of Maintaining Approved Plans

SN	Description	Fee
1	Three-month extension of the period of maintaining approved plans for which no Construction Works Permits are issued within nine (9) months from the date of approving the audit application	AED 300.00

Schedule (4)
Construction Works Permit Renewal Fees

SN	Description	Fee
1	Renewal of an expired Construction Works Permit for an additional period of six (6) months	Ten percent (10%) of the fees paid for the initial issuance of the permit

Schedule (5)
Permit Fees for Decoration Works and for Converting Buildings into Hotels

SN	Description	Fee
1	Decoration works permit	AED 100.00 for each 200 square feet of the total area of the retail space. The fee may neither be less than AED 100.00 nor exceed AED 200.00
2	Permit for converting a building into a hotel, hotel apartments, or a guest house	AED 0.15 (15 fils) for each square foot of the total area to be converted (excluding the rooms), plus AED 100.00 per converted room. This fee must not be less than AED 1,500.00. In any event, the fees for these modifications must not exceed fifty percent (50%) of the fees prescribed in respect of Construction for the first time.

Schedule (6)
Application Fees for Modifications and Additions to Approved Plans

SN	Description	Fee
1	Building plan for residential building additions	AED 100.00
2	All types of alterations to villas, private houses, and annexes	AED 200.00
3	All types of regular alterations to building and villa compounds (investment, industrial, recreational)	AED 300.00
4	All types of moderate alterations to building and villa compounds (investment, industrial, recreational)	AED 500.00
5	All types of major alterations to building and villa compounds (investment, industrial, recreational)	AED 1,000.00
6	Completely changing the approved design of a building.	AED 0.30 (30 fils) per square foot
7	Changing the roof of an existing building	AED 0.10 (10 fils) per square foot

Schedule (7)
Application Fees for Miscellaneous Construction Works Permits

SN	Description	Fee
1	Permit for demolition of a building:	
	a. Private residential building (traditional house, villa, villa compound)	AED 150.00 per building
	b. Other buildings:	
	- Buildings whose floor area does not exceed 10,000.00 sq. ft.	AED 200.00 per building
	- Buildings whose floor area ranges from 10,001 to 20,000.00 sq. ft.	AED 400.00 per building
	- Buildings whose floor area exceeds 20,000.00 sq. ft.	AED 600.00 per building
2	Permit for demolition of a fence	AED 100.00
3	Permit for piling and/ or shoring works	AED 500.00
4	Permit for excavation and site preparation (prior to issuing the Construction Works Permit or approving shoring works)	
	a. Private residential villa	AED 250.00 per villa
	b. Villa compounds and multi-storey investment, industrial, and recreational buildings comprising a ground and four typical floors.	AED 500.00
	c. Multi-storey investment, industrial, and recreational buildings comprising more than a ground and four typical floors.	AED 1,000.00
5	Permit for maintenance works*	
	a. Private residential building (villa)	AED 100.00 per metre per building
	b. Buildings comprising only a ground floor	AED 250.00

	c. Buildings comprising a ground floor and several typical floors	AED 250.00 for the ground floor, and AED 100.00 for any subsequent floor
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* Fees will not apply where maintenance works are only paint works for the exterior of the building.

Schedule (8)
Fees Related to Construction Works

SN	Description	Fee
1	Issuing a 'To Whom It May Concern' certificate	AED 15.00
2	Field inspection for the purpose of issuing a completion certificate for a building	AED 100.00 per visit
3	Application for replacing a Contractor implementing a project	AED 500.00
4	Application for replacing a project consultant	AED 300.00
5	Application for cancellation of an approved Construction Works Permit application	The total fees prescribed for the Construction Works Permit
6	Application for cancellation of a Construction Works Permit application before it is approved or reviewed three (3) times or more	AED 100.00
7	Request for consideration of a decoration works permit application before issuance of the completion certificate	AED 500.00
8	Approving the plans for installation of advertising boards on roofs of buildings	AED 500.00
9	Affixing the true copy stamp to additional copies of plans	AED 100.00
10	Issuing a copy of the plans to a concerned party;	
	a. Private residential buildings	AED 100.00
	b. Commercial buildings comprising four floors or less	AED 300.00
	c. Buildings comprising more than four floors	AED 500.00
11	Applications for approval of new construction systems and methods:	
	a. Application for conducting the initial study of a new construction system or method	AED 500.00

	b. Application for conducting a field inspection of a new construction system or method in use	AED 250.00 per site
	c. Approval of a new construction system or method and registration of the same in the name of the applicant	AED 2,000.00
12	Application for processing blocked transactions of a contractor or an engineering consultancy firm	AED 500.00
13	Application for obtaining computer-stored data and statistics	AED 10.00 per page

Hamdan bin Rashid Al Maktoum

Chairman of the Dubai Municipality